



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : EMBIL et al. Confirmation No: 2411
Appl. No. : 10/761,390
Filed : January 22, 2004
Title : TOPICAL PHARMACEUTICAL AND/OR COSMETIC
DISPENSE SYSTEMS

TC/A.U. : 1614
Examiner : Not Assigned Yet

Docket No.: : EMBI3001/REF
Customer No: : 23364

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to Rule 37 C.F.R. §§ 1.51(b), 1.56, 1.97 and 1.98, this Information Disclosure Statement is being submitted with the references in the above-identified patent application. A listing of these documents is submitted herewith on Form PTO-1449. The U.S. Patents are listed but copies are no longer required and therefore only the foreign and non-patented references are herewith enclosed.

This Information Disclosure Statement is submitted prior to the mailing date of the first Official Action on the merits received by Applicants.

The Examiner is requested to acknowledge consideration of the information provided in this paper in accordance with prescribed procedures.

Respectfully submitted,
BACON & THOMAS, PLLC

By: Richard E. Fichter
Richard E. Fichter
Registration No. 26,382

625 Slaters Lane, 4th Fl.
Alexandria, Virginia 22314
Phone: (703) 683-0500
Facsimile: (703) 683-1080
REF:kdd
IDS.wpd
April 27, 2004

B/O Form PTO-1449 APR 28 2004 U.S. Department of Commerce Patent and Trademark Office Information Disclosure Statement Applicant	Atty. Docket Number	Serial Number
	EMBI3001/REF	10/761,390
	Applicant	
	EMBIL et al.	
	Filing Date	Group
	January 22, 2004	1614

U.S. Patent Documents

Examiner Initial	Document Number	Date	Patentee/Applicant	Class	Subclass	Filing Date if Appropriate
	5,767,098	16/06/98	KLEIN et al.	514	43	
	5,466,446	14/11/95	STIEFEL et al.	424	62	
	6,462,025 B2	08/10/02	Mohan VISHNUPAD	514	29	
	5,145,675	08/09/92	Richard WON	424	78.83	
	5,955,109	21/09/99	WON et al.	424	501	
	5,356,040	18/10/94	Fulvio REGGIANI	222	129	
	5,879,716	09/03/99	KATZ et al.	424	501	
	5,446,028	29/08/95	KLEIN et al.	514	43	
	6,013,637	11/01/00	KLEIN et al.	514	43	

Foreign Patent Documents

Examiner Initial	Document Number	Publication Date	Country/Agency	Class	Subclass	Translation	
						Yes	No
	02/45662 A2	13/06/02	WO				
	01/91726 A1	06/12/01	WO				
	02/47662 A2	20/06/02	WO				
	0 644 129 A1	22/03/95	EP				
	0 306 236	08/03/89	EP				

Other Documents (Including Author, Title, Date, Pertinent Pages, Place of Publication, Etc.)

	K. EMBIL and S. NACHT, "The Microsponge Delivery System (MDS): a topical delivery system with reduced irritancy incorporating multiple triggering mechanisms for the release of actives", J. MICROENCAPSULATION, 1996, vol. 13, no. 5, 575-588.
	WESTER et al., "Controlled release of benzoyl peroxide from a porous microsphere polymeric system can reduce topical irritancy", JOURNAL OF THE AMERICAN ACADEMY OF DERMATOLOGY, vol. 24, no. 5, pp. 720-726, May 1991.
	EURY et al., "Controlled release subduced", CHEMTECH, January 1992, 22, pp. 42-46.
	EURY et al., "Microsponge Delivery Systems (MDS): A Topical Delivery System with Mutiple Mechanism for Triggering the Release of Actives", Cosmetic and Pharmaceutical Applications of Polymers, 1991, pp. 169-179.
	NACHT et al., "The Microsponse: A Novel Topical Programmable Delivery System", 1990, Marcel Dekker, Inc., pp. 299-325.
	Lookingbill et al., "Treatment of acne with a combination clindamycin/benzoyl peroxide gel compared with clindamycin gel, benzoyl peroxide gel and vehicle gel: Combined results of two double-blind investigations", Journal of the American Academy of Dermatology, vol. 37, no. 4, 1997, pp. 590-595.

Examiner

Date Considered

EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP 609; Draw a line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

B/O Form PTO-1449 U.S. Department of Commerce Patent and Trademark Office Information Disclosure Statement by Applicant	Atty. Docket Number	Serial Number
	EMBI3001/REF	10/761,390
	Applicant	
	EMBIL et al.	
	Filing Date	Group
	January 22, 2004	1614

U.S. Patent Documents

Examiner Initial	Document Number	Date	Patentee/Applicant	Class	Subclass	Filing Date if Appropriate
	6,117,843	12/09/00	BAROODY et al.	514	24	
	4,690,825	01/09/87	Richard WON	424	501	
	6,248,849 B1	19/06/01	Milan F. SOJKA	526	336	
	5,834,577	10/11/98	Milan F. SOJKA	526	323.2	
	5,830,960	03/11/98	Milan F. SOJKA	526	194	
	6,007,264	28/12/99	Kurtis James KOPTIS	401	132	
	3,535,422	20/10/70	COX et al.	424	164	
	4,056,611	01/11/77	Henry Y. YOUNG	424	62	
	4,318,907	09/03/82	KLIGMAN et al.	424	230	
	4,923,900	08/05/90	Richard L. DeVillez	514	714	
	4,387,107	07/06/83	KLEIN et al.	424	338	
	4,228,163	14/10/80	William E. BLISS	424	240	
	3,969,516	13/07/76	Richard B. STOUGHTON	424	181	
	4,411,893	25/10/83	JOHNSON et al.	424	181	
	4,692,329	08/09/87	KLEIN et al.	424	81	
	4,607,101	19/08/86	Joel E. BERNSTEIN	514	24	
	4,497,794	05/02/85	KLEIN et al.	424	81	
	4,962,133	09/10/90	CHROMECEK et al.	521	56	
	4,962,170	09/10/90	CHROMECEK et al.	526	212	
	4,873,091	10/10/89	JANKOWER et al.	424	489	
	4,690,825	01/09/87	Richard WON	424	501	

Foreign Patent Documents

Examiner Initial	Document Number	Publication Date	Country/Agency	Class	Subclass	Translation	
						Yes	No
	2 088 717 A	16/06/82	GB				
	1 594 314	30/07/81	GB				

Examiner

Date Considered

EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP 609; Draw a line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.